

IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE



In re Application of : Yoichi HOSOYA et al.

Serial No. : 10/034,607

Filed : January 3, 2002

Group Art Unit : 1752

Examiner : Geraldine Letscher

For : SILVER HALIDE PHOTOGRAPHIC LIGHTSENSITIVE
MATERIAL

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DECLARATION UNDER 37 C.F.R. 1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Yoichi HOSOYA, hereby declare and state that:

I am a co-applicant of the above-identified application,
U.S.S. No. 10/034,607.

I have conducted the following comparative experiments:

Comparative Experiments

Sample No. 126 was prepared in the same manner as
Sample No. 101 in Example 1 of the specification (page 365,
line 24 to page 369, line 7, page 407, line 8 to page 434,
the last line, and Table 3, page 435, of the specification),
except that Coupler ExY-6 used in the 14th layer was
replaced with Coupler II-12 (page 185 of the specification).
This Coupler II-12 is the same as the coupler No. (12)
described in columns 43 and 44 of U.S. Patent 6,261,750 to
Ishii et al. (hereinafter referred to as Ishii '750).

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The thus prepared Sample No. 126 was processed and evaluated in the same manner as Sample No. 101 (page 438, line 1 to page 442, line 21).

The results are shown in Table A below. In Table A, the results of Sample Nos. 101 and 102 for comparison and those of Sample No. 105 of the invention are reproduced from Table 6 on page 444 of the specification.

Table A

Sample No.	Emulsion (Compound of formula (I))	Coupler	Photographic performance with blue filter		Photographic performance after subjecting to thermal condition		Remarks
			Sensi-tivity	Fog	Sensi-tivity	Fog	
101	Em-A1 (not present)	ExY-6	100	0.25	90	0.40	Comp.
102	Em-A2 (present)	ExY-6	135	0.35	75	0.75	Comp.
105	Em-A2 (present)	II-12	135	0.28	120	0.56	Inv.
126	Em-A1 (not present)	II-12	99	0.23	90	0.37	Comp.

The followings are apparent from the results in Table A above.

The use of the compound represented by the formula (I) of the invention without a compound represented by the formula (II) or (III) of the invention, enhances photographic sensitivity before the storage under the thermal condition, but greatly decreases sensitivity and

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greatly increases fog for the sample after the storage under the thermal condition (see Sample No. 102).

The use of the compound represented by the formula (II) or (III) of the invention without a compound represented by the formula (I) of the invention, slightly suppresses fog for the sample after the storage under the thermal condition, but has little effect to suppress the decrement in sensitivity after the storage (see Sample No. 126 for comparison).

On the other hand, the use of the compound represented by the formulas (I) and the compound represented by the formula (II) or (III) of the invention greatly suppresses fog for the sample after the storage under the thermal condition and also greatly suppresses the decrement in sensitivity after the storage (see Sample No. 105 of the invention).

That is, the use of the compound represented by the formula (II) or (III) of the invention in combination with the compound represented by the formula (I) of the invention effectively educes the sensitivity-increasing effect of the compound represented by the formula (I) of the invention. Such advantages are not described in the references, U.S. Patent No. 5,747,235 to Farid et al., U.S. Patent No. 5,994,051 to Gould et al., U.S. Patent No. 6,054,260 to Adin et al., U.S. Patent No. 6,306,570 to Adin et al. and Ihsii '750, and thus are unexpected.

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The silver halide photographic light-sensitive material of the invention maintains the advantage, i.e., suppression of fog, of the compound represented by the formula (I) of the invention, while overcoming the drawback, i.e., decrement in sensitivity, thereof by the combined use with the compound represented by the formula (II) or (III) of the invention.

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: March, 2, 2004Yoichi Hosooya
Yoichi HOSOYA